UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
THOMPSON, JAMES A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 April 2008*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-18* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments, see page 9, lines 9-11, filed 30 April 2008, with respect to the rejection of claims 13 and 14 under 35 U.S.C. § 101 have been fully considered and are persuasive. The rejection of claims 13 and 14 under 35 U.S.C. § 101 has been withdrawn.

2.   Applicant's arguments filed 30 April 2008 have been fully considered but they are not persuasive. Applicant's arguments are directed to the limitations newly added to the independent claims. Therefore, Applicant's arguments are fully addressed by the prior art rejections set forth below. The new grounds of rejection, taken from other passages of the previously cited prior art references, have been necessitated by the present amendments to the claims.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 1, 3-9 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Murata (USPN 6,111,659).**

        Regarding claim 1: Murata discloses a data processing device having one or more functions (figure 1 of Murata), the device comprising: a storage unit that stores various types of data (column 6, lines 40-46 of Murata – *storage unit is the memory card that is inserted into the PC card slot (89) – both image data and print control data are stored on memory card*); an interface that is structured to be connected to a terminal device (figure 2 and column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device via an interface (83) [as shown in figure 2 of Murata]*), the interface allowing the terminal device to access the storing unit to read and write the various types of data when the terminal device is connected to the interface (column 8, lines 55-60 and column 9, lines 5-12 of Murata – *the connected computer terminal can read and process print data from the storing unit [column 8, lines 55-60 of Murata] and write image and command data to the storing unit [column 9, lines 5-12 of Murata]*), the storing unit being capable of being recognized as an

external storage device (column 8, lines 52-57 of Murata – *through the PC card controller (88)*
[corresponding to terminal device], memory card recognized as external storage device upon insertion
into the PC card slot (89)); and a function implementing unit (figure 1(85(portion)) and column 6, lines
4-5 of Murata – *CPU controls entire data processing device [digital copying machine] – function*
implementing unit corresponds to portions of embodied software routines executed by the CPU that are
used to perform the functions stored on the memory card) that executes a process to implement one of the
one or more functions that is indicated by instruction data when the instruction data is stored in the
storing unit by the terminal device (column 6, lines 41-45 and lines 54-58 of Murata – *if scan job*
command file or print job command file with associated image data is stored on memory card, scanning
or printing commands executed).

Regarding claim 3: Murata discloses a reading unit that implements a scanner function to read a
prescribed image as image data, wherein the function implementing unit instructs the reading unit to read
an image as image data when read instruction data for instructing that an image be read using the scanner
function is stored in the storing unit (column 6, lines 54-58 of Murata).

Regarding claim 4: Murata discloses that the function implementing unit instructs the reading
unit to read the image and produce the image data representing the image and thereafter stores the image
data read by the reading unit in the storing unit (column 6, lines 54-58 of Murata).

Regarding claim 5: Murata discloses a printing unit that implements a printer function to print
an image on a printing medium based on image data, wherein the function implementing unit instructs the
printing unit to print an image based on the image data when print instruction data indicating that an
image be printed with the printer function and the image data are stored in the storing unit (column 6,
lines 40-46 of Murata).

Regarding claim 6: Murata discloses that when notification instruction data for requesting a
notification of settings related to one of the one or more functions is stored in the storing unit, the
function implementing unit stores content notification data in the storing unit indicating settings related to
a function for which the notification instruction data requests notification (figure 3; figure 5; figure 6; and
column 8, lines 27-40 of Murata – *settings of the print job are stored as part of the overall print job*
instruction data; recorded settings can be altered for each page of the print job [column 8, lines 38-40 of
Murata], thus giving further notification of settings as needed).

Regarding claim 7: Murata discloses that when the modification instruction data for requesting
an update of settings related to one of the one or more functions is stored in the storing unit, the function
implementing unit updates settings for a function instructed to be updated by the modification instruction

data (column 8, lines 27-40 of Murata – *settings of the print job are stored as part of the overall print job instruction data; recorded settings can be modified for each page of the print job [column 8, lines 38-40 of Murata], thus updating the print job settings as needed*).

Regarding claim 8: Murata discloses a terminal device used when connected to and capable of performing communications with a data processing device (column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device*) including a storing unit that stores various types of data (column 6, lines 40-46 of Murata – *storage unit is the memory card that is inserted into the PC card slot (89) – both image data and print control data are stored on memory card*), an interface that is structured to be connected to a terminal device (figure 2 and column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device via an interface (83) [as shown in figure 2 of Murata]*), and allows the terminal device to access the storing unit to read and write the various types of data (column 8, lines 55-60 and column 9, lines 5-12 of Murata – *the connected computer terminal can read and process print data from the storing unit [column 8, lines 55-60 of Murata] and write image and command data to the storing unit [column 9, lines 5-12 of Murata]*), and a function implementing unit (figure 1(85(portion)) and column 6, lines 4-5 of Murata – *CPU controls entire data processing device [digital copying machine] – function implementing unit corresponds to portions of embodied software routines executed by the CPU that are used to perform the functions stored on the memory card*) that executes a process to implement a function indicated by instruction data when the instruction data is stored in the storing unit (column 6, lines 41-45 and lines 54-58 of Murata – *if scan job command file or print job command file with associated image data is stored on memory card, scanning or printing commands executed*), the terminal device comprising: an instruction data generating unit that receives user operations and generates the instruction data instructing the data processing device to implement the function (figure 3 and column 7, lines 2-7 of Murata), and an instruction data storing unit that stores the instruction data into the storing unit of the data processing device via the interface (column 9, lines 5-12 of Murata).

Regarding claim 9: Murata discloses a reading unit that implements a scanner function to read an image as image data, wherein the function implementing unit instructs the reading unit to read an image as image data when read instruction data for instructing that an image be read using the scanner function is stored in the storing unit (column 6, lines 54-58 of Murata), the read instruction data being generated by the instruction data generating unit (column 10, lines 47-56 of Murata) and stored in the instruction data storing unit provided in the data processing device (column 9, lines 5-12 of Murata), the terminal device further comprising: a terminal-end storing unit that stores various types of data (see, *e.g.,*

column 7, lines 2-5 and column 10, lines 47-56 of Murata – *various types of data stored on the memory card, such as print instructions, image data, scan job instruction, and so on*); and an image data storage commanding unit that stores the image data in the terminal-end storing unit after the instruction data storing unit stores the read instruction data in the storing unit provided in the data processing device when the image data is stored in the storing unit (column 8, lines 27-31 of Murata – *if print instructions are stored, the image data is stored after the print instructions have been accepted from the user*).

        Regarding claim 11: Murata discloses that when notification instruction data for requesting a notification of settings related to a function is stored in the storing unit, the function implementing unit stores content notification data in the storing unit indicating settings related to a function for which the notification instruction data requests notification (column 8, lines 27-40 of Murata – *settings of the print job are stored as part of the overall print job instruction data; recorded settings for processing the stored content can be modified for each page of the print job [column 8, lines 38-40 of Murata], thus giving further notification of the print job settings as needed*), the notification instruction data being generated by the instruction data generating unit (column 9, lines 5-13 of Murata – *all instructions for print job generated based on user input*) and stored in the storing unit provided in the data processing device by the instruction data storing unit (column 9, lines 5-12 of Murata), the terminal device further comprising: and a content notifying unit that reports settings indicated by the content notification data when the content notification data is stored in the storing unit, after the instruction data storage commanding unit stores the notification instruction data in the storing unit provided in the data processing device (*figures 5-6 and column 8, lines 27-35 of Murata – print job content settings generated by user input in dialog display box [locally at data processing device, and thus stored in resident memory] and then stored in a particular format*).

        Regarding claim 13: Murata discloses a computer-readable storage medium embedded with a computer-executable program for controlling a data processing device (column 6, lines 4-5 of Murata – *CPU, by executing programs in memory [ROM and RAM], controls the data processing device [digital copying machine]*) that is connected in use to a terminal device so as to be capable of performing data communications therebetween (column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device*), and an interface that is structured to be connected to the terminal device (figure 2 and column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device via an interface (83) [as shown in figure 2 of Murata]*) to allow the terminal device to access a data storing unit to read and write the various types of data (column 8, lines 55-60 and column 9, lines 5-12 of Murata – *the connected*

computer terminal can read and process print data from the storing unit [column 8, lines 55-60 of Murata] and write image and command data to the storing unit [column 9, lines 5-12 of Murata]), the program comprising: a program of enabling the terminal device to recognize a data storing unit of the data processing device as an external storage device so as to enable the terminal device to be accessible to the data storing unit (column 8, lines 52-57 of Murata – *through the PC card controller (88) [corresponding to terminal device], memory card recognized as external storage device upon insertion into the PC card slot (89)*); a program of allowing the terminal device to access a data storing unit to read and write the various types of data via the interface (column 8, lines 55-60 and column 9, lines 5-12 of Murata – *the connected computer terminal can read and process print data from the storing unit [column 8, lines 55-60 of Murata] and write image and command data to the storing unit [column 9, lines 5-12 of Murata]*); and a program of executing a process to implement a function of the data processing device that is indicated by instruction data when the instruction data is stored in the storing unit (column 6, lines 41-45 and lines 54-58 of Murata – *if scan job command file or print job command file with associated image data is stored on memory card, scanning or printing commands executed*).

　　　　Regarding claim 14: Murata discloses a computer-readable storage medium embedded with a computer-executable program for controlling a terminal device that is connected in use to a data processing device so as to be capable of performing data communications therebetween (column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device*), and an interface that is structured to be connected to the terminal device (figure 2 and column 8, lines 55-60 of Murata – *PC card controller (88) is connected to and communicates with CPU (85) of data processing device via an interface (83) [as shown in figure 2 of Murata]*) to allow the terminal device to access a data storing unit to read and write the various types of data (column 8, lines 55-60 and column 9, lines 5-12 of Murata – *the connected computer terminal can read and process print data from the storing unit [column 8, lines 55-60 of Murata] and write image and command data to the storing unit [column 9, lines 5-12 of Murata]*), the program comprising: a program of enabling the terminal device to recognize a data storing unit of the data processing device as an external storage device so as to enable the terminal device to be accessible to the data storing unit (column 8, lines 52-57 of Murata – *through the PC card controller (88) [corresponding to terminal device], memory card recognized as external storage device upon insertion into the PC card slot (89)*); a program of receiving user operations and generating instruction data instructing the data processing device to implement a function (figure 3 and column 7, lines 2-7 of Murata); and a program of storing the instruction data into

the storing unit of the data processing device via the interface (column 10, lines 47-56 of Murata – *scan job instructions generated based on user input and stored in memory card*).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 2, 10, 12 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murata (USPN 6,111,659) in view of Yoneta (USPN 6,359,699 B1).**

Regarding claim 2: Murata does not disclose expressly an instruction data deletion commanding unit that deletes the instruction data from the storing unit after the function implementing unit implements a function indicated by the instruction data.

Yoneta discloses an instruction data deletion commanding unit that deletes the instruction data from the storing unit after the function implementing unit implements a function indicated by the instruction data (figure 8(S8-15) and column 8, lines 20-25 of Yoneta).

Murata and Yoneta are combinable because they are from similar problem solving areas, namely how to best manage information used in executing various processes, wherein said information is stored on separate memory devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to optionally delete instruction data after the instruction data is used to implement particular functions, as taught by Yoneta. The motivation for doing so would have been to keep certain information secure by allowing the information to be used only when specifically needed. A further motivation for doing so would have been to allow an end user to use the information only to the extent that the end user has paid for access to the information. Therefore, it would have been obvious to combine Yoneta with Murata to obtain the invention as specified in claim 2.

Regarding claim 10: Murata does not disclose expressly an image data deletion commanding unit that deletes the image data stored in the storing unit provided in the data processing device when the image data is stored in the terminal-end storing unit according to a command from the image data storage commanding unit.

Yoneta discloses a data deletion commanding unit that deletes the data stored in the storing unit provided in the data processing device when the data is stored in the terminal-end (IC) storing unit according to a command from the data storage commanding unit (figure 8(S8-15) and column 8, lines 20-25 of Yoneta).

Murata and Yoneta are combinable because they are from similar problem solving areas, namely how to best manage information used in executing various processes, wherein said information is stored on separate memory devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to optionally delete data after the data is used in implementing particular functions, as taught by Yoneta, wherein said data is the image data taught by Murata. The motivation for doing so would have been to keep certain information secure by allowing the information to be used only when specifically needed. A further motivation for doing so would have been to allow an end user to use the information only to the extent that the end user has paid for access to the information. Therefore, it would have been obvious to combine Yoneta with Murata to obtain the invention as specified in claim 10.

Regarding claim 12: Murata does not disclose expressly a content notification data deletion commanding unit that deletes the content notification data stored in the storing unit provided in the data processing device when the content notifying unit reports settings indicated by the content notification data.

Yoneta discloses a content data deletion commanding unit that deletes the content data stored in the storing unit provided in the data processing device when the content unit reports settings indicated by the content data (figure 8(S8-15) and column 8, lines 20-25 of Yoneta).

Murata and Yoneta are combinable because they are from similar problem solving areas, namely how to best manage information used in executing various processes, wherein said information is stored on separate memory devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to optionally delete content data after the content data is used in implementing particular functions, as taught by Yoneta, wherein said content data is the content notification data taught by Murata. The motivation for doing so would have been to keep certain information secure by allowing the information to be used only when specifically needed. A further motivation for doing so would have been to allow an end user to use the information only to the extent that the end user has paid for access to the information. Therefore, it would have been obvious to combine Yoneta with Murata to obtain the invention as specified in claim 12.

Regarding claim 15: Murata discloses a reading unit that implements a scanner function to read a prescribed image as image data, wherein the function implementing unit instructs the reading unit to

read an image as image data when read instruction data for instructing that an image be read using the scanner function is stored in the storing unit (column 6, lines 54-58 of Murata).

Regarding claim 16: Murata discloses a printing unit that implements a printer function to print an image on a printing medium based on image data, wherein the function implementing unit instructs the printing unit to print an image based on the image data when print instruction data indicating that an image be printed with the printer function and the image data are stored in the storing unit (column 6, lines 40-46 of Murata).

Regarding claim 17: Murata discloses that when notification instruction data for requesting a notification of settings related to one of the one or more functions is stored in the storing unit, the function implementing unit stores content notification data in the storing unit indicating settings related to a function for which the notification instruction data requests notification (figure 3; figure 5; figure 6; and column 8, lines 27-40 of Murata – *settings of the print job are stored as part of the overall print job instruction data; recorded settings can be altered for each page of the print job [column 8, lines 38-40 of Murata], thus giving further notification of settings as needed*).

Regarding claim 18: Murata discloses that when the modification instruction data for requesting an update of settings related to one of the one or more functions is stored in the storing unit, the function implementing unit updates settings for a function instructed to be updated by the modification instruction data (column 8, lines 27-40 of Murata – *settings of the print job are stored as part of the overall print job instruction data; recorded settings can be modified for each page of the print job [column 8, lines 38-40 of Murata], thus updating the print job settings as needed*).

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is (571)272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A Thompson/
Examiner, Art Unit 2625

15 November 2008